

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	2:06-cr-00367-HDM
	)	2:16-cv-01271-HDM
Plaintiff,	)	
	)	
vs.	)	
	)	ORDER
ELLIOTT DAUGHERTY,	)	
	)	
Defendant.	)	
	)	

On June 13, 2016, the court stayed proceedings on the defendant's 28 U.S.C. § 2255 motion pending the Ninth Circuit's decisions in *Jacob v. United States*, No. 15-73302 and *Gardner v. United States*, No. 15-72559. On August 1, 2016, the Ninth Circuit entered orders in both *Jacob* and *Gardner* authorizing the filing of second or successive petitions and closing the original actions in that court. Accordingly, the defendant's motion to lift stay (ECF No. 91) is **GRANTED** and the stay of these proceedings is hereby **LIFTED**. The government shall file a response to the defendant's § 2255 motion (ECF No. 87) no later than September 19, 2016.

IT IS SO ORDERED.

DATED: This 3rd day of August, 2016.



UNITED STATES DISTRICT JUDGE